

KATHY A.F. DAVIS (4022)
ROGER R. FAIRBANKS (3792)
KAITLIN DAVIS (15831)
Assistant Attorneys General
Utah Attorney General's Office
MARK BOSHELL (16002)
KENDALL G. LAWS (14700)
Special Assistant Attorneys General
DEREK E. BROWN (10467)
UTAH ATTORNEY GENERAL
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
kathydavis@agutah.gov
rfairbanks@agutah.gov
mboshell@utah.gov
klaws@utah.gov
Attorneys for Plaintiffs

IN THE UNITED STATES JUDICIAL DISTRICT COURT
FOR THE DISTRICT OF UTAH, SOUTHERN DIVISION

STATE OF UTAH, et. al.,

Plaintiffs,

v.

Doug Burgum, in his official capacity as
Secretary of the Interior, et. al.,

Defendants,

and

SUWA, et. al.,

Defendant-Intervenors.

**PLAINTIFFS' UNOPPOSED MOTION TO
AMEND THE SCHEDULING ORDER**

Case No. 4:24-cv-00048 -DN-PK

District Judge David Nuffer
Magistrate Judge Paul Kohler

Pursuant to Rule 7-4(c) of the Local Rules of Civil Practice of the United States District Court for the District of Utah Plaintiffs, State of Utah, *et al.*, submit this Motion to Amend the Scheduling Order and vacate the existing Scheduling Order previously issued by the Court on May 1, 2025. Plaintiffs have conferred with counsel for the parties. Defendants and Defendant-

Intervenors take no position on the motion. A Proposed Order is attached to this Motion and will be emailed to the Court in an editable format. The cause for this Motion to Amend the Scheduling Order arises from developments with the Administrative Record filed by Defendants in this case. Defendants filed an electronic link to the Administrative Record on June 6, 2025, and after exchanges with counsel for other parties later filed an electronic link to an Updated Administrative Record on July 22, 2025, just two weeks ago. Counsel for Plaintiffs are working on the preparation of Plaintiffs' Opening Brief but require additional time for review and analysis of the voluminous Administrative Record and Updated Administrative Record. An amended scheduling order, as proposed, will provide the Plaintiffs and other parties with additional time to prepare their briefs. Plaintiffs propose the following changes:

I. Existing Dates:

- a. Plaintiffs' Opening Brief: August 22, 2025.**
- b. Federal Defendants' Answer Brief: October 6, 2025.**
- c. Intervenor-Defendant's Answer Brief: November 3, 2025.**
- d. Plaintiffs' Reply Brief: Within 30 days from the filing of Defendant-Intervenors' Answer Brief.**

II. Proposed Dates:

- a. Plaintiffs' Opening Brief: October 24, 2025.**
- b. Federal Defendants' Answer Brief: December 19, 2025.**
- c. Defendant-Intervenors' Answer Brief: January 30, 2026.**
- d. Plaintiffs Reply Brief: Within 30 days from the filing of Defendant-Intervenors' Answer Brief.**

DATED this 8th day of August 2025.

/s/ Roger R. Fairbanks
Assistant Attorney General
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on this 8th day of August 2025, the undersigned electronically filed the foregoing **UNOPPOSED MOTION TO AMEND THE SCHEDULING ORDER** with the Clerk of the Court using the CM/ECF system which will send notification of this filing to all counsel of record.

/s/ Roger R. Fairbanks
Assistant Attorney General